

Regulations (19 CFR 4.20), but they will be subject to the \$0.50 special tonnage tax and \$0.50 light money rates provided therein.

This document amends footnote 3a of section 4.20 of the Customs Regulations (19 CFR 4.20, footnote 3a) to remove Cambodia and Vietnam from the list of "non-entrant" countries, reflecting the lesser special tonnage tax assessments for foreign vessels entering the United States from these countries.

#### **Regulatory Flexibility Act and Executive Order 12866**

Pursuant to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) and based upon the information set forth above, it is certified that the regulation will not have a significant economic impact on a substantial number of small entities. Accordingly, the regulation is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604.

This document does not meet the criteria for a "significant regulatory action" as specified in Executive Order 12866.

#### **Inapplicability of Public Notice and Comment Requirements and Delayed Effective Date Requirements**

Because the subject matter of this document does not constitute a departure from established policy or procedures, but merely announces a benefit for the public, it has been determined, pursuant to 5 U.S.C. 553(b)(B), that the notice and public comment procedures thereon are unnecessary. For the same reasons, it has also been determined, pursuant to 5 U.S.C. 553(d)(1) and (3), that good cause exists for not requiring a delayed effective date.

#### **Drafting Information**

The principal author of this document was Janet L. Johnson, Regulations Branch. However, personnel from other offices participated in its development.

#### **List of Subjects in 19 CFR Part 4**

Customs duties and inspection, Exports, Freight, Harbors, Maritime carriers, Oil pollution, Reporting and recordkeeping requirements.

#### **Amendment to the Regulations**

For the reasons set forth in the preamble, part 4 of the Customs Regulations (19 CFR part 4) is amended as set forth below.

### **PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES**

1. The general authority citation for part 4 and the specific authority for § 4.20 continue to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 66, 1431, 1433, 1434, 1624; 46 U.S.C. App. 3, 91;  
\* \* \* \* \*

Section 4.20 also issued under 46 U.S.C. 2107(b), 8103, 14306, 14502, 14511, 14512, 14513, 14701, 14702, 46 U.S.C. App. 121, 128;  
\* \* \* \* \*

#### **§ 4.20 [Amended]**

2. In § 4.20(c), footnote 3a to the table is amended by removing the words "Democratic Kampuchea (Cambodia);" and "and, the Socialist Republic of Vietnam".

Approved: August 23, 1995.

**William F. Riley,**

*Acting Commissioner of Customs.*

**Dennis M. O'Connell,**

*Acting Deputy Assistant Secretary of the Treasury.*

[FR Doc. 95-22977 Filed 9-15-95; 8:45 am]

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### **DEPARTMENT OF VETERANS AFFAIRS**

#### **38 CFR Part 1**

**RIN 2900-AH71**

#### **Board of Contract Appeals: Rules of the Board**

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** This document amends the rules of the VA Board of Contract Appeals concerning optional small claims (expedited) and accelerated procedures. The maximum jurisdictional amount of \$10,000 is changed to \$50,000 for cases in which an appellant may elect to have an appeal processed under the small claims (expedited) procedures. Also, the maximum jurisdictional amount of \$50,000 is changed to \$100,000 for cases in which an appellant may elect to have an appeal processed under the accelerated procedures. These amendments merely reflect statutory changes.

**EFFECTIVE DATE:** September 18, 1995.

**FOR FURTHER INFORMATION CONTACT:**

Patricia J. Sheridan, Counsel to the Chairman, VA Board of Contract Appeals, Department of Veterans Affairs, 810 Vermont Ave., NW, Washington, DC 20420, (202) 273-6743.

**SUPPLEMENTARY INFORMATION:** This document amends Rule 12 of the rules of the VA Board of Contract Appeals (38 CFR 1.780 *et seq.*). Rule 12 includes a number of provisions relating to optional small claims (expedited) and accelerated procedures.

Previously, Rule 12 at 38 CFR 1.783(l)(1)(i) included the following provisions concerning optional small claims (expedited) procedures:

(i) In appeals where the amount in dispute is \$10,000 or less, the appellant may elect to have the appeal processed under a small claims (expedited) procedure requiring decision of the appeal, whenever possible, within 120 days after the Board receives written notice of the appellant's election. The details of this procedure appear in paragraph (1)(2) of this section (rule 12). An appellant may elect the accelerated procedure set forth in paragraphs (1)(3) of this section (Rule 12) in any appeal eligible for small claims (expedited) procedure.

The \$10,000 amount in this paragraph was mandated by statute. However, The Federal Acquisition Streamlining Act of 1994 (FASA) (Pub. L. 103-355) changed the \$10,000 amount to \$50,000. Accordingly, in 38 CFR 1.783(l)(1)(i) the \$10,000 amount is changed to \$50,000 to reflect the statutory change.

Previously, Rule 12 at 38 CFR 1.783(l)(1)(ii) included the following provisions concerning accelerated procedures:

(ii) In appeals where the amount in dispute is \$50,000 or less, the appellant may elect to have the appeal processed under an accelerated procedure requiring decision of the appeal, whenever possible, within 180 days after the Board receives written notice of the appellant's election. The details of this procedure appear in paragraph (1)(3) of this section (Rule 12).

The \$50,000 amount in this paragraph also was mandated by statute. However, the FASA also changed the \$50,000 amount to \$100,000. Accordingly, in 38 CFR 1.783(l)(1)(ii) the \$50,000 amount is changed to \$100,000 to reflect the statutory change.

This final rule reflects statutory changes and, therefore, is not subject to the provisions of 5 U.S.C. 552 or 553, including the notice and comment provisions.

The Secretary hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612. This rule merely reflects statutory amendments. Therefore, this final rule is exempt from the initial and final regulatory flexibility analyses requirements of §§ 603 and 604.

**List of Subjects in 38 CFR Part 1**

Administrative practice and procedure, Archives and records, Cemeteries, Claims, Courts, Flags, Freedom of information, Government contracts, Government employees, Government property, Infants and children, Inventions and patents, Investigations, Parking, Penalties, Postal service, Privacy, Reporting and recordkeeping requirements, Seals and insignia, Security measures, Wages.

Approved: September 7, 1995.

**Jesse Brown,**

*Secretary of Veterans Affairs.*

For the reasons set out in the preamble, 38 CFR part 1 is amended as set forth below:

**PART 1—GENERAL PROVISIONS**

1. The authority citation for part 1 continues to read as follows:

**Authority:** Sections 1.955 to 1.970 issued under 38 U.S.C. 3720(a)(4) and 5302; 5 U.S.C. 5584.

**§ 1.783 [Amended]**

2. In § 1.783, paragraph (l)(1)(i) is amended by removing "\$10,000" and adding in lieu thereof "\$50,000"; and paragraph (l)(1)(ii) is amended by removing "\$50,000" and adding in lieu thereof "\$100,000".

[FR Doc. 95-23036 Filed 9-15-95; 8:45 am]

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**38 CFR Parts 1 and 2**

RIN 2900-AH69

**Contract Appeals Board Regulations**

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** This document removes the Department of Veterans Affairs (VA) regulations concerning "APPEALS FROM DECISIONS OF CONTRACTING OFFICERS." These regulations concerned appeals to the VA Contract Appeals Board (VACAB). Prior to 1978, contract disputes were resolved by the VACAB. However, the VACAB was "superseded" and "subsumed" by the VA Board of Contract Appeals (VABCA). The VACAB's functions were to be phased-out. The last VACAB appeal was docketed in 1986, and the phase-out has been completed. Hence, the VACAB regulations are no longer needed.

**EFFECTIVE DATE:** September 18, 1995.

**FOR FURTHER INFORMATION CONTACT:** Patricia J. Sheridan, Counsel to the Chairman, VA Board of Contract Appeals, Department of Veterans

Affairs, 810 Vermont Ave., NW, Washington, DC 20420, (202)273-6743.

**SUPPLEMENTARY INFORMATION:** Under 5 U.S.C. 553 there is a basis for dispensing with prior notice and comment and for dispensing with a 30-day delay of the effective date since this final rule concerns rules of agency organization, practice, or procedure. Additionally, under 5 U.S.C. there is good cause for dispensing with prior notice and comment and for dispensing with a 30-day delay of the effective date since the changes made by this document should not affect anyone and, consequently, prior procedures are impracticable, unnecessary, and contrary to the public interest.

The Secretary hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612. This final rule should not have an impact on any individual or entity. Therefore, pursuant to 5 U.S.C. 605(b), this final rule is exempt from the initial and final regulatory flexibility analyses requirements of §§ 603 and 604.

This regulatory action has been reviewed by the Office of Management and Budget under Executive Order 12866.

There is no Catalog of Federal Domestic Assistance number.

**List of Subjects****38 CFR Part 1**

Administrative practice and procedure, Archives and records, Cemeteries, Claims, Courts, Flags, Freedom of Information, Government contracts Government employees, Government property, Infants and children, Inventions and patents, Investigation, Parking, Penalties, Postal Service, Privacy Reporting and recordkeeping requirements, Seals and insignia Security measures, Wages

**38 CFR Part 2**

Authority delegations (Government agencies)

Approved: September 7, 1995.

**Jesse Brown,**

*Secretary of Veterans Affairs.*

For the reasons set forth in the preamble, 38 CFR parts 1 and 2 are amended as follows:

**PART 1—GENERAL PROVISIONS**

1. The authority citation for part 1 continues to read as follows:

**Authority:** Sections 1.955 to 1.970 issued under 38 U.S.C. 3720(a)(4) and 5302; 5 U.S.C. 5584.

**§§ 1.770-1.776 [Removed]**

2. The heading "APPEALS FROM DECISIONS OF CONTRACTING OFFICERS" and §§ 1.770 through 1.776 are removed.

**PART 2—DELEGATIONS OF AUTHORITY**

3. The authority citation for part 2 continues to read as follows:

**Authority:** 72 Stat. 1114; 38 U.S.C. 501, unless otherwise noted.

**§ 2.5 [Amended]**

4. In § 2.5, paragraph (b) is amended by removing "and Contracts Appeals Board".

**§§ 2.62-2.65a [Removed]**

5. Sections 2.62 through 2.65a are removed.

[FR Doc. 95-23037 Filed 9-15-95; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 51**

[FRL-5294-9]

**Inspection/Maintenance Flexibility Amendments**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rule.

**SUMMARY:** Today's action revises the motor vehicle Inspection/Maintenance (I/M) Program Requirements. EPA announced its intent to amend the I/M Program Requirements in December 1994 and held stakeholders' meetings on January 24, 1995 and January 31, 1995. This action creates an additional, less stringent enhanced I/M performance standard which allows areas that can meet the 1990 Clean Air Act requirements for Reasonable Further Progress and attainment to implement an I/M program that falls below the originally promulgated enhanced I/M performance standard. Because the new low enhanced I/M performance standard eliminates the need for the special enhanced performance standard for El Paso, Texas, today's action repeals that special performance standard. This action also revises the high enhanced I/M performance standard to include a visual inspection of the positive crankcase ventilation (PCV) valve on all light-duty vehicles and light-duty trucks from model years 1968 to 1971, inclusive, and of the exhaust gas recirculation (EGR) valve on all light-duty vehicles and light-duty trucks from